



February 5, 2021

SENATE BILL No. 187

DIGEST OF SB 187 (Updated February 2, 2021 1:57 pm - DI 106)

Citations Affected: IC 10-10.7.

Synopsis: Protection of monuments, memorials, and statues. States the policy of the state of Indiana regarding the protection of monuments, memorials, and statues. Requires the state police department to prioritize the investigation and prosecution of persons who destroy, damage, vandalize, or desecrate a monument, memorial, or statue. Requires the state police department to assist political subdivisions in the investigation and prosecution of persons who destroy, damage, vandalize, or desecrate a monument, memorial, or statue. Provides that it is state policy to withhold state support relating to public spaces for political subdivisions that fail to protect public monuments, memorials, and statues and from political subdivisions that have failed to protect public monuments, memorials, and statues from destruction or vandalism.

Effective: July 1, 2021.

**Koch, Freeman, Sandlin, Zay,
Houchin**

January 12, 2021, read first time and referred to Committee on Corrections and Criminal Law.
February 4, 2021, amended, reported favorably — Do Pass.

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February 5, 2021

First Regular Session of the 122nd General Assembly (2021)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

SENATE BILL No. 187

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 10-10.7 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2021]:

4 **ARTICLE 10.7. PROTECTION OF MONUMENTS,**
5 **MEMORIALS, AND STATUES**

6 **Chapter 1. Statement of Policy**

7 **Sec. 1. It is the policy of the state of Indiana to prosecute to the**
8 **fullest extent permitted under Indiana and federal law, and as**
9 **appropriate, any person that destroys, damages, vandalizes, or**
10 **desecrates a private or government monument, memorial, statue,**
11 **or other commemorative property.**

12 **Sec. 2. It is the policy of the state of Indiana to prosecute to the**
13 **fullest extent permitted under Indiana and federal law, and as**
14 **appropriate, any person that participates in efforts to incite**
15 **violence, rioting, or other illegal activity in connection with acts**
16 **described in section 1 of this chapter.**

17 **Sec. 3. It is the policy of the state of Indiana to prosecute to the**

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1 fullest extent permitted under Indiana and federal law, and as
 2 appropriate, any person that damages, defaces, or destroys
 3 religious property.

4 Sec. 4. It is the policy of the state of Indiana, as appropriate and
 5 consistent with applicable Indiana and federal law, to withhold
 6 state support for public spaces of political subdivisions that fail to
 7 protect public monuments, memorials, and statues.

8 Sec. 5. It is the policy of the state of Indiana, as appropriate and
 9 consistent with applicable Indiana and federal law, to withhold
 10 state support from political subdivisions that have failed to protect
 11 public monuments, memorials, and statues from destruction or
 12 vandalism.

13 Chapter 2. Definitions

14 Sec. 1. The definitions in this chapter apply throughout this
 15 article.

16 Sec. 2. "Department" refers to the state police department
 17 established by IC 10-11-2-4.

18 Sec. 3. "Person" refers to an individual, a sole proprietorship,
 19 an association, a business association, a fiduciary, a partnership, a
 20 corporation, a limited liability company, a joint stock company, a
 21 joint venture, or other legal entity.

22 Sec. 4. "Political subdivision" has the meaning set forth in
 23 IC 36-1-2-13.

24 Sec. 5. "State agency" has the meaning set forth in IC 4-13-1-1.

25 Sec. 6. "State support" refers to appropriations made by the
 26 general assembly.

27 Chapter 3. Enforcement

28 Sec. 1. (a) The department shall prioritize within the
 29 department the investigation and prosecution of activities
 30 described in IC 10-10.7-1.

31 (b) The department shall take all appropriate enforcement
 32 actions against persons found to have violated Indiana law through
 33 the investigations described in subsection (a).

34 Sec. 2. The department shall, as appropriate and consistent with
 35 applicable Indiana and federal law, work with political
 36 subdivisions to ensure that the state government appropriately
 37 provides information and assistance to those political subdivisions
 38 in connection with their investigations or prosecution of activities
 39 described in IC 10-10.7-1, regardless of whether the property is
 40 located on property owned by the state.

41 Sec. 3. Upon request, the department shall provide, as
 42 appropriate and consistent with Indiana and federal law, personnel



1 to assist with the protection of monuments, memorials, statues, or
2 property owned by the state or a political subdivision.

3 **Chapter 4. State Support**

4 **Sec. 1. Each state agency shall examine their respective grant**
5 **programs and apply the policies established by IC 10-10.7-1 to all**
6 **such programs to the extent that the application of those policies**
7 **is both appropriate and consistent with applicable Indiana and**
8 **federal law.**



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 187, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 3, delete lines 9 through 42.

Delete page 4.

and when so amended that said bill do pass.

(Reference is to SB 187 as introduced.)

YOUNG M, Chairperson

Committee Vote: Yeas 9, Nays 0.

